

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001

03 MDL 1570 (RCC)

This document relates to:

Ashton v. Al Qaeda Islamic Army, 02 CV 6977
Burnett v. Al Baraka Investment & Development Corp., 03 CV 5738
Cantor Fitzgerald & Co. v. Akida Bank Private Ltd., 04 CV 7065
Continental Casualty Co. v. Al Qaeda Islamic Army, 04 CV 5970
Euro Brokers, Inc. v. Al Baraka Investment & Development Corp., 04 CV 7279
Federal Insurance Co. v. Al Baraka Investment & Development Corp., 03 CV 6978
New York Marine & General Insurance Co. v. Al Qaeda, 04 CV 6105
O'Neill v. Al Baraka Investment and Development Corp., 04 CV 1923
World Trade Center Properties, LLC v. Al Baraka Investment, 04 CV 7280

**SECOND AFFIDAVIT OF JOHN FAWCETT IN SUPPORT OF
PLAINTIFFS' OPPOSITION TO
FAISAL ISLAMIC BANK SUDAN'S MOTION TO DISMISS**

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

JOHN FAWCETT, being duly sworn, deposes and says:

1. For over two years, I have been working under contract for Kreindler & Kreindler LLP as an investigator in the case *Kathleen Ashton v. al Qaeda Islamic Army et al.*

2. As part of my duties, I have been asked to investigate contacts between Faisal Islamic Bank Sudan and the United States.

3. In the course of my investigation I have learned that in 1993, at the time that Sudan was hosting Usama Bin Laden and al Qaeda, the Faisal Islamic Bank Sudan held

correspondent banking relationships in three United States banks: Bank of New York, Barclay's Bank, and Wells Fargo Bank. *See Attached Document # 1.*

4. As of January 2003, Faisal Islamic Bank Sudan held and maintained a correspondent account, # 803-3331-933, at the Bank of New York. Faisal Islamic Bank Sudan also held another 21 U.S. dollar accounts world-wide. *See Attached Document # 2.*

5. A correspondent account is held by bank, broker, dealer, or financial institution that acts on behalf of another financial institution with limited or restricted access to the financial markets where a transaction must occur.

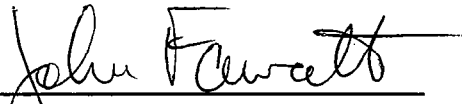
6. The services provided by a correspondent bank include, *inter alia*, operating U.S. Dollar clearing accounts, operating foreign currency or Nostro accounts, issuing letters of credit, operating as a transfer agent, and acting as a custodian for investments and other records.

7. The correspondent banking services offered by the Bank of New York include global cash management, investment banking, foreign currency exchange and multi-currency hedging, liquidity via short-term investment, and global trading with letters of credit and internet payment. *See Attached Document # 3.*

8. The correspondent banking services offered by Wells Fargo Bank include; Treasury Management, Investment Management, Fed Funds Sales, Foreign Exchange, Risk Management, and Shareowner Services. *See Attached Document # 4.*

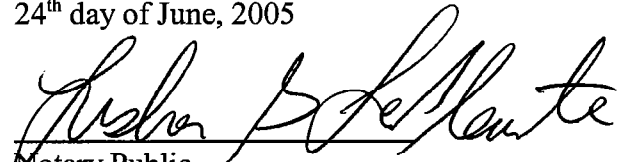
Dated: New York, New York
June 24, 2005

Respectfully submitted,



John Fawcett

Sworn to before me this
24th day of June, 2005



Notary Public

LISHA G. LaPLANTE
Notary Public, State of New York
No. 41-4858847
Qualified in Queens County *06*
Commission Expires May 12, 20__

DOCUMENT #1

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JULY
1993

148th YEAR OF PUBLICATION

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Faisal Islamic Bank of Egypt — continued

Banco Ambrosiano Veneto; Credito Italiano. New York: American Express Bank; Arab African International Bank; Bank of New York; Bankers Trust; Chemical Bank; Citibank; UBAF Arab American Bank. Oslo: Den norske Bank. Paris: Banque Misr; Crédit Lyonnais; Union de Banques Arabes et Françaises. Rome: Banca di Roma; UBAE Arab Italian Bank. São Paulo: Banco do Brasil. Seoul: Union de Banques Arabes et Françaises. Singapore: UBAF Bank. Stockholm: Gota Bank; Nordbanken; Skandinaviska Enskilda Banken. Tokyo: Bank of Tokyo; Union de Banques Arabes et Françaises. Vienna: Z-Länderbank Bank Austria. Zürich: Banque de Commerce et de Placements; Credit Suisse; Swiss Bank Corp.; Union Bank of Switzerland.

BALANCE SHEET:

	1992		1992
Liabilities: July 1	U.S.\$	Assets: July 1	U.S.\$
Capital	100,000,000	Cash & Banks	407,870,000
Reserves	31,888,000	Investments	1,343,794,000
Deposits	1,505,470,000	Premises	18,635,000
Other Liabilities	231,951,000	Other Assets	101,010,000
Total	1,869,309,000	Total	1,869,309,000

Dividends: 1987, 14.18 p.c.p.a.; 1988, 12.55; 1989, 12.86; 1990, 12.69; 1991, 8.14.

Shares: U.S.\$100. Auditors: Hafez Mostafa Ragheb & Tawfik Abou Aleam. Branches: 13.

Representative Offices: 1.

Subsidiary Companies: Islamic Co for Animal Wealth; Islamic Co for Electric Refrigerators; Islamic Foreign Trade Co.; International Company for Import & Export; Islamic Co for Acrylic Products; Islamic Co for Pharmaceuticals, Chemicals & Medical Requisites; Damazeen Co for Agricultural and Live Stock Production; Electronic Industries Co.; Cairo Medical Centre; Misr International Hospital; Islamic Co for Investment and Development; Islamic Development Co.; Al-Salam Investment Co.; Ismailia National Co for Food Stuff Industries; Islamic Co for Engineering Industries; Islamic Co for Industrial Detergents; Islamic Co for P.V.C. Floor Tiles; Sporting Shoes Company; Faisal Islamic Bank of Sudan; Dar-Al-Meat-Al-Islami; Sudanese Islamic Bank; Islamic Bank of West Sudan; Faisal Finance Institution; Arab Company for Purification Works; Pan-Islamic Consulting Group; Islamic Company for Education Projects.

Faisal Islamic Bank (Sudan)

P.O. Box 10143, Khartoum, Sudan

TELEPHONE: 81848. TELEX: 22519; 22164 FIBS SD; 22163 FIBS.

TELEGRAMS: "Bankislami-KTM". SIC: FIBS SD KH.

World Bank [2893] Country Bank [4]

History: Established August 1977.

Ownership: Sudanese Nationals, 40 p.c.; Other Islamic Countries, 60 p.c.

Chairman: H.R.H. Prince Mohammed El Faisal Al Saud. General Manager: Al Bagkir Yousif Mudawi.



CORRESPONDENTS: Abu Dhabi: Arab Bank for Investment & Foreign Trade; Cairo Bank.

Dubai: Dubai Islamic Bank. Frankfurt: Commerzbank; Deutsche Bank. Jeddah: Bank Al-Jazira;

National Commercial Bank; Saudi American Bank; Saudi Cairo Bank. London: Albaraka International

Bank; Barclays Bank; National Bank of Pakistan; UBAF Bank. New York: Bank of New York; Barclays

Bank; Wells Fargo Bank. Riyadh: Al Rajhi Banking & Investment Corp.; Riyadh Bank.

Branches: 19.

Wholly-owned Subsidiaries: The Islamic Trading and Services Co.; The Real Estate Development Co.; The Islamic Insurance Co.

Falck & Cie

Schwanenplatz 2, CH-6002 Luzern, Switzerland

TELEPHONE: (4141) 511751. TELEX: 868168. TELEGRAMS: "FALCKCO". FAX: (4141) 516529.

SIC: FALC CH 22.

Private Bank.

History: Established 1876.

General Partners: Peter Falck; Louis H. Falck, lic., jur.; Josef Roos. Managers: Beat Fischer; Rolf Hüsler; Otto Stettler.

CORRESPONDENTS: Amsterdam: ABN AMRO Bank. Brussels: Bank Brussels Lambert.

Frankfurt: Deutsche Bank; Georg Hauck & Sohn Bankiers. London: Midland Bank; Swiss Bank Corp.

Milan: Credito Italiano. New York: Citibank. Paris: Crédit Lyonnais.

Branches: Nil.

DOCUMENT #2



essential:

essential (1) *sen(s) ad* 1 vitally important; absolutely necessary.
2 fundamental; an essential asset. 3 absolute; perfect. 4 something indispensable;
cannot live without. 5 a primary source; essential verified facts.

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Faisal Islamic Bank of Egypt SAE — cont'd

PRINCIPAL DOMESTIC BRANCHES:

Alexandria: 7 Victor Basil St, El Azab, 21131 Alexandria. Tel: +20 3 4875480, 3 4838818, 3 4856341.
 Fax: +20 3 4861853. SWIFT/BIC: FIEG EG CX ALX.
 Damietta: Sheikh Mohamed Abd El-Karim St, Behaira, 22111 Damietta. Tel: +20 45 311888, 45 310088.
 Fax: +20 45 314006. SWIFT/BIC: FIEG EG CX DMN.
 Tanta: Awfal Bldg, Kairi-Essam St & Aziz Fahmy St, Ghazayya, 31111 Tanta. Tel: +20 40 3347483, 40 3347483.
 3334184, 40 3334953. Fax: +20 40 3345000. SWIFT/BIC: FIEG EG CX TAN.
REPRESENTATIVE OFFICES:
 Saudi Arabia: Jeddah: PO Box 12007, Jeddah 21473. Tel: +968 2 6448413.
 BALANCE SHEET: (Later figures not supplied)

	2000	1999
Liabilities: Dec.31		
Capital	263,897,648	263,897,648
Reserves	90,557,854	90,557,854
Deposits, &c	8,301,000,284	8,301,000,284
Other Liabilities	481,901,532	481,901,532
Total	9,127,193,086	9,127,193,086

Total Assets at Dec.31 2000: U.S.\$ 2,346,322,133 (at ex rate 3.8900)

PROFIT & LOSS STATEMENT:

	2000	1999
Dec.31		
Net Profit/(Loss)	32,231,413	32,231,413
Net Profit/Equity Capital		
Net Profit/Total Assets		
Equity Capital/Total Assets		

* This profit is for the period April 6, 2000 to December 31, 2000 and this is reflected in the Performance Ratios.

Shares: US\$100. Branches: Egypt 14. Representative Offices: 1. No. of Employees: 1,333.
 Subsidiaries: Al Alamie Import and Export Company, 90.93%; Animal Production Islamic Co, 84.26%; Giza Soft Industries & Land Reclamation Company SAE "Garnation", 51.67%; Islamic Company for Feeding Industries (FIEGICO), 78.45%; Islamic Company for Packing Materials and Printing (ICOPACK), 51.47%; Islamic Foreign Trade Co, 78.85%; Ismailia National Co for Food Industries (FOODIGO), 89.24%; Associated Companies: Arab Company for Disinfection Activities (Aradis), 41.8%; Egypt Co for Packing Materials (EGP), 34.94%; Faisal Bank Exchange Company, 25%; Giza Paints & Chemical Industries, 48.57%; Horizon for Investment and Industrial Development, 33.33%; Islamic Co for Production of Flooring Materials, 20.2%; Islamic Detergent Company, 40.67%; Islamic Investment and Development Company, 10%; National Co for Wood Industry, 44.44%.
 Affiliated Companies: Al-Ahly for Information System, 10%; Al-Salam for Investments (Al-Ansan Hotel), 6.06%; Cairo Medical Centre, 7.34%; Damazin Agriculture and Animal Production Company, 11.45%; Educational Project Company, 9.2%; International for Hile Purchase (INGOLEASE), 12.07%; Islamic Development Co Ltd, Khartoum, 8.15%; Islamic Trading Company E C, Manama, 8%; Mansoura Medical Center, 10.42%; The Taha for Development and Real Estate Investment, 11%.

Faisal Islamic Bank (Sudan)

Head Office: PO Box 10143, Khartoum, Sudan. TEL: +249 11 777920, 11 781848, 11 781853, 11 781927, 11 781857. FAX: +249 11 780193, TLX: 22519
 fbs sd, 22164 fbs sd. Telex: bankislam-kdm.
 E-MAIL: Qadairam@Sudanmail.net. SWIFT/BIC: FISS SD KH. BANK CODE: FIBS.
 World Bank [2.853] Country Rank [3]
 Private Stock Bank [3]
 Regulator: Bank of Sudan.
 History: Established August 1977.
 Ownership: Sudanese Nation, 42.29%; Other Islamic Countries, 57.71%.
 Chairman: H R H Prince Mohammed El Faisal Al Saud. General Manager: Dr Yaseen Al Hag A'abdin.
CORRESPONDENTS: Abu Dhabi: Arab Bank for Investment and Foreign Trade; Banque du Gaire SAE. Amman: Arab Bank plc. Beirut: Beirut Riyad Bank SAL. Cairo: Faisal Islamic Bank of Egypt SAE. Doha: Qatar Islamic Bank SAQ. Dubai City: Dubai Islamic Bank PLC. Geneva: Faisal Finance (Switzerland) SA. Jeddah: The National Commercial Bank. London: American Express Bank Ltd; Barclays Bank PLC; British Arab Commercial Bank Ltd; Lugano: BSI SA, Manama: Arab Banking Corporation (BSC); The Arab Investment Company SAE; Sharaf Bank of Bahrain EC, Manama.



Faisal Islamic Bank (Sudan) — cont'd
 Acc No: 173549. BSI SA, Lugano. Acc No: A3276000. Faisal Islamic Bank of Egypt SAE, Cairo.
 Acc No: 119600. Sharaf Bank of Bahrain EC, Manama. Acc No: 4100239004.
 BSI: Arab Bank for Investment and Foreign Trade, Abu Dhabi. Acc No: 323-06-12017. The Arab Investment Company SAE, Manama. Acc No: 126373.
 GSP: American Express Bank Ltd, London. Acc No: 113786. Arab Banking Corporation (BSC), Manama.
 Acc No: 239310035. The Arab Investment Company SAE, Manama. Acc No: 173537. Barclays Bank PLC, London. Acc No: 99674907. British Arab Commercial Bank Ltd, London. Acc No: 104720. Faisal Finance (Switzerland) SA, Geneva. Acc No: 10059826. Faisal Islamic Bank of Egypt SAE, Cairo.
 Acc No: 115600. Sharaf Bank of Bahrain EC, Manama. Acc No: 4100239005.
 KYD: Kuwait Finance House KSC, Safat. Acc No: 220000038.
 SAR: Al Rajhi Banking and Investment Corp, Riyadh. Acc No: 20067252150001. Arab Bank for Investment and Foreign Trade, Abu Dhabi. Acc No: 323-03-12017. Arab Banking Corporation (BSC), Manama. Acc No: 226310034. The Arab Investment Company SAE, Manama. Acc No: 115600. The National Commercial Bank, Jeddah. Acc No: 5551500000100. Riyad Bank, Riyadh. Acc No: 30808. Saba Islamic Bank, Sana'a. Acc No: 114105. Saudi American Bank, Riyadh. Acc No: 3743314. Also still trading under Sharaf Bank - Acc SAR - 585-470094-01-5. Sharaf Bank of Bahrain EC, Manama.

Acc No: 1094100239002.
 USD: Al Rajhi Banking and Investment Corp, Riyadh. Acc No: 20067252150002. American Express Bank Ltd, London. Acc No: 113778. Arab Bank plc, Amman. Acc No: 118982940910. Arab Bank for Investment and Foreign Trade, Abu Dhabi. Acc No: 122017. Arab Banking Corporation (BSC), Manama. Acc No: 0091226310031. The Arab Investment Company SAE, Manama. Acc No: 173068. The Bank of New York, New York. Acc No: 803-3331-933. Bank Saderat Iran, Tehran. Acc No: 14015260. Banque du Gaire SAE, Abu Dhabi. Acc No: 111143870. Barclays Bank PLC, London. British Arab Commercial Bank Ltd, London. Acc No: 105096. BSI SA, Lugano. Acc No: A3276004. Dubai Islamic Bank PLC, Dubai City. Acc No: 0152004000002. Faisal Finance (Switzerland) SA, Geneva.
 Acc No: 10059640. Faisal Islamic Bank of Egypt SAE, Cairo. Acc No: 115600. Kuwait Finance House KSC, Safat. Acc No: 1122002014. Qatar Islamic Bank SAQ, Doha. Acc No: 202641. Saba Islamic Bank, Sana'a. Acc No: 114105. Saudi American Bank, Riyadh. Acc No: 3771076. Also still trading under United Saudi Bank - Acc USD - 585-470094-01-1. Sharaf Bank of Bahrain EC, Manama.
 Acc No: 1094100239001. Yemen Bank for Reconstruction and Development, Sana'a.
 Acc No: 0010665784.

BALANCE SHEET (Later figures not supplied)

	2000	1999
Liabilities: Dec.31		
Capital	975,000,000	174,087,000
Reserves	227,261,000	919,841,000
Deposits, &c	11,969,377,000	8,477,411,000
Other Liabilities	151,124,000	1,459,869,000
Profit Balance	3,098,000	1,062,482,000
Total	12,952,950,000	9,814,415,000

Total Assets at Dec.31 2000: U.S.\$ 50,069,398 (at ex rate 258.7000)

PROFIT & LOSS STATEMENT:

	2000	1999
Dec.31		
Net Interest Inc.	2,560,000	114,482,000
Net Profit/(Loss)	2,560,000	114,482,000

PERFORMANCE RATIOS:

	2000	1999
Assets: Dec.31		
Cash & Banks	7,576,981,000	5,584,484,000
Investments	2,426,061,000	1,788,435,000
Loans, &c	1,459,869,000	1,032,250,000
Fixed Assets	1,062,482,000	1,271,813,000
Other Assets	414,533,000	137,433,000
Total	12,952,950,000	9,814,415,000

Meetings: June. Branches: 33. No. of Employees: 973.

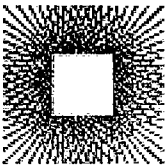
Wholly-owned Subsidiaries: The Islamic Trading and Services Co, Khartoum.

FAMBL See First Atlantic Merchant Bank Ltd

Family Finans Kurumu AS (Faisal Finance House Inc)

Head Office: Kameralti Cad No 46, 80030 Topkane, Istanbul, Turkey. TEL: +90 212 2455147, 212 2440020. Head Office Branch 212 2516620, 212 2516620, 212 2455633. Head Office Branch 212 2455632. TLX: 25694 ftk tr, 25729 ftk tr. E-MAIL: bldc@faisalfinans.com, outkan@faisalfinans.com. SWIFT/BIC: FFIN TR IS. BANK CODE: 204.
 website: http://www.faisalfinans.com

DOCUMENT #3



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Through BNY Capital Markets, Inc., we offer a comprehensive array of capital markets products and services to a wide range of clients throughout the corporate and municipal sectors.

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We offer clients the range of offerings they need to optimize their cash flow, manage liquidity and make payments around the world in more than 90 different currencies.

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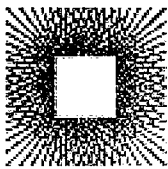
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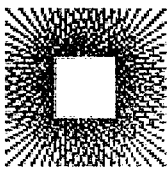
Leadership in the cash management business

In order to facilitate your business in markets around the world, The Bank of New York maintains a global network of branches, representative offices and correspondent banks to provide comprehensive international payment services including cash management, funds transfer and liquidity management. Significant investment in technology, coupled with a commitment to innovation, enables us to provide you with the sophisticated solutions that your business demands.

A comprehensive range of product offerings

Whether your business is a large corporation, a financial institution or a small- to mid-sized company, we offer a full range of cash management products to meet your specific needs. Our concentration and collection services increase your ability to efficiently collect payments, and can also automatically update your accounts receivable systems. Our line of disbursement services gives you maximum control over payments and features the latest developments in fraud prevention. Our funds transfer, multi-currency clearing and payment services help you optimize cash flow and make global payments efficiently.

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When you turn to the capital markets to facilitate your business objectives, you need a partner who will deliver personalized solutions to help you meet your goals. BNY Capital Markets, Inc., a wholly owned subsidiary of The Bank of New York Company, Inc., provides a broad range of investment banking services with an emphasis on building long-term client relationships.

Through BNY Capital Markets, Inc., we offer a comprehensive array of industry-leading investment banking services to help our clients succeed in a fast-moving economy. From capital raising and trading to lending and investing, clients can choose from a wide range of innovative products and services for practical, creative and flexible solutions that are tailored to their strategy.

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around the globe bring efficiencies to the process. With BNY Capital Markets' creative "boutique" approach, small-size companies have access to resources and services that are often unavailable to clients of their size.

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BNY Capital Markets is an acknowledged leader in many industries, including financial services, media, retail, real estate and energy. They are also a leading debt structuring and trading firm, and consistently rank as a top arranger of syndicated loans. BNY Capital Markets has the capabilities and expertise to support you in your capital raising activities. Whether you are acquiring a business, recapitalizing or looking to finance expansion, you need creative, personalized solutions. BNY Capital Markets' experienced professionals will work with you to craft strategies that meet your organizational goals and help you succeed in a dynamic global economy.

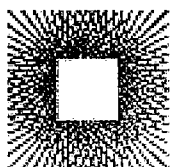
To learn more, please visit the [BNY Capital Markets site](#).

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You should consult your own tax advisors about your situation and the tax treatment of specific investments.



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Global Markets

The Bank of New York maintains a strong presence in currency markets around the world, and is a leading provider of global risk management solutions.

We offer a comprehensive array of innovative products and consultative services to investor, corporate and correspondent bank clients, from basic foreign exchange (FX) to customized multi-currency hedging and yield-enhancing strategies.

A team of experienced professionals

Strong client relationships are at the core of our foreign exchange and derivatives services. The Bank's experienced traders ensure that you get the very best execution possible, while our derivatives professionals will collaborate with you to structure customized solutions that address your exposure, risk profile and market outlook. Our entire FX and derivatives team is supported by some of the most sophisticated technology in the industry. Our goal is to develop a deep understanding of your business and tailor a comprehensive strategy that will achieve your risk management objectives.

A comprehensive array of global services

As a premier provider of value-added global risk management solutions, we offer investor, corporate and correspondent bank clients a comprehensive array of innovative products and consultative services including basic foreign exchange (FX), customized multi-

currency hedging and yield-enhancing strategies, as well as a full range of currency, equity and interest rate derivatives products.

eCommerce Capabilities

Clients can trade currencies online using iFX ManagerSM, our award-winning, Web-based, fully automated FX trade order management and execution system. iFX Manager offers clients end-to-end automated trading, industry standard proven technology and superior functionality. Clients can trade manually or electronically using one system, as well as automate the entire workflow process -- from preparation of trade requests to order management, trade execution, reporting and ticket input. The system also offers auditing and record keeping features, saves time and minimizes trade input errors.

Customized Currency Derivative Solutions

As one of the world's leading banks in currency, interest rate and equity derivatives, we offer a complete selection of simple and exotic options contracts, as well as non-deliverable forwards. Our range of derivative products can be structured to accommodate each individual client's specific exposures, market outlook and risk parameters.

Research and Analysis

We offer both economic and market research to keep you abreast of the latest news affecting the FX market. For currency professionals, we offer Benchmark, a suite of tools to support currency risk management and yield enhancement decisions. With these resources, clients have access to in-depth country analysis, specific trade strategies and technical analysis to support their decision-making processes.

For more information, please visit our [Global Markets Website](http://www.bankofny.com/htmlpages/stm_gma.htm).



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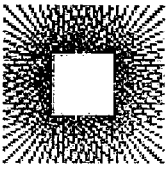
Global Trade Services

We provide creative, flexible solutions for importers, exporters and financial institutions that are seeking to enhance their revenues and reduce risk -- using our technology, trade expertise and extensive global network.

Our services include the following:

- Letters of credit: solutions to reduce transaction costs
- U.S. dollar reimbursements: cost-efficient authorizations, amendments and payments
- Global collections: faster funds collection and remittance
- Structured trade: simple or sophisticated financing solutions to support trade flows
- Outsourcing services: solutions that minimize workload as well as provide access to the latest trade technology
- Exporter collections via the Internet: initiate, track and expedite global payments quickly and efficiently

Through our network of representatives and affiliates in 32 countries, with their knowledge of local markets and customs, we are able to unlock efficiencies for our clients that help expedite turnaround times and save them money. Our regional trade processing centers are located in Frankfurt, Hong Kong, Seoul, Shanghai, Singapore, Taipei and Tokyo.



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Liquidity Services

Managing your liquidity needs is an important component in maximizing investment returns and managing risk.

The Bank of New York offers a broad range of actively and passively managed solutions to manage your cash and short-term investments and ensure that your liquidity needs are met.

From government bonds and commercial paper to a full complement of money market funds and other treasury products, we offer the most comprehensive array of short-term investment options available anywhere.

We make it easy for you to integrate our innovative MoneyFunds DIRECTSM program with our other cash management tools to invest residual cash balances in late-day money market funds, directly from your PC. As our client, you also benefit from the ability to leverage the vast resources of The Bank of New York its industry expertise, flexible delivery systems, integrated services and global network of local providers all of which enable you to unlock the full value of your cash, securities and other holdings.

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With specialized banking and investment expertise, our consultants can help increase net interest and portfolio income, and support cost-efficient lending

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